
Question: What is a Home Rule Charter?

Answer: The home rule charter is the “constitution” of Bulverde. The charter was drafted by an independent group of fifteen Bulverde residents who were appointed by the Mayor and City Council. The charter goes into effect only after a majority of Bulverde citizens have approved it in an election, scheduled for May 9th 2015.

Texas cities become eligible to adopt home rule charters if they have a population of 5,000 or more. 93.6% of eligible cities in Texas have adopted home rule charters (as of 2010).

Question: In a nutshell, what are the inherent powers of home rule cities?

Answer: In a nutshell the powers are: Municipal Organization; Annexation; Initiative, Referendum, and Recall; Charter Amendments; Limitation on Home Rule Powers.

Question: Who is behind the effort to get a Home Rule Charter approved?

Answer: Bulverde citizens. Home Rule is the right of citizens at the grassroots level to manage their own affairs with minimum interference from the State. Home Rule assumes that community challenges should be solved at the lowest possible level, closest to the people.

Question: Will my property taxes increase if a Home Rule Charter is approved?

Answer: No. Home Rule charters do not change the current laws and requirements regarding the ability and authority of the City regarding taxes. The city council currently has the authority and responsibility to set the property tax rate each year in accordance with state law.

The Comal County Appraisal District sets property values each year. The adoption of a Charter does not change the current process for setting tax rates or appraising property.

Question: How will approving a Home Rule Charter affect me?

Answer: Approving a Charter will allow the citizens to govern themselves by establishing rights, responsibilities, and privileges for all Bulverde residents, so long as content in the Charter is not superseded by State or Federal laws. Charters allow for citizens to:

- Determine the number of council members to represent the citizens.
- Determine how long terms of office are for the Mayor and Council Members.
- Determine how the Mayor and Council Members are elected.
- Determine how long the Mayor and Council Members stay in office, and how many times the Mayor and Council Members can run for office.
- Determine which form of government will be utilized. It can only be changed by citizens voting to amend the charter.
- Determine if citizens should have the right to request a binding initiative on the ballot; an initiative allows the citizenry to propose new laws or change the charter through a general election ballot measure.
- Determine if citizens should have the right to recall the Mayor or Council Member.
- Determine if citizens should have the right to call for a referendum, which is the method by which a measure adopted by the City Council may be submitted to the electorate for a vote.

Question: What will home rule chartering provide for residents of Bulverde in terms of services?

Answer: No matter whether Bulverde is a General Law city or Home Rule city, the City has wide authority to provide services directly to citizens. Cities provide police, public works, parks, recreation, health, and other services. Some services are franchised to private companies to provide services in the city, such as waste management. Home rule cities typically have broader local control to protect the health, safety and welfare of their citizens.

Question: Who can vote on the proposed Home Rule Charter?

Answer: Per State Law, only registered voters of the City of Bulverde may vote on the home rule charter.

Question: How do I find out if I am in the City or the ETJ?

Answer: If you have a question as to whether your property is within the City or ETJ, you may visit the maps on the City's web site or contact the City at 830-438-3612. You may also visit the GIS page at: www.cceo.org

Question: I've heard that Home Rule will give the citizens of Bulverde more authority. How is that?

Answer: The Home Rule Charter as proposed will provide for Recall, Initiative, and Referendum rights for citizens.

- Recall allows citizens to vote to remove a city council member (including the mayor) from elected office, if the member knowingly violates a provision of the charter, engages in official misconduct, or demonstrates incompetence.
- Initiative is the process that allows citizens, through a petition, to initiate legislation (through ordinances).
- Referendum is the process that allows citizens, through a petition and election, to overturn ordinances passed by the city council.

Recall, Initiative, and Referendum are not legally permitted in General Law cities.

Question: How will a Charter affect the annexation authority of Bulverde?

Answer: Home Rule cities can extend city boundaries (annex) unilaterally while general law cities can generally annex only with permission of property owners or with approval of a majority of the residents of an annexed area. However, annexation by Texas home rule cities is limited in various ways, including the following:

- Cities can annex no more than ten percent (10%) of their area in any given year.
 - When annexing existing residential areas containing more than 100 housing units, cities must file an annexation plan; annexation cannot occur until three years after the filing of the plan. The territory to be annexed must be adjacent to existing city limits.
 - A service plan must be attached to all annexations, indicating what services will be provided to the annexed area and under what conditions the services will be provided. Under Texas law some services such as police protection must be provided immediately upon annexation.
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Question: Isn't annexation involuntary?

Answer: There are more options for unilateral annexation of property for a Home Rule city under state law than the authority for a general law city. Creating annexation plans is a right and responsibility of a home rule charter city which wishes to annex. General Law cities may only take in land per requests of landowners, or under very limited circumstances.

Question: I own property within the city limits of Bulverde, but live elsewhere. Can I vote on the Charter?

Answer: No, per State Law, you must be a resident of the City and a registered voter in order to vote on the Charter.

Question: Will the City Council determine the language included in the Bulverde Charter?

Answer: No. The City Council's only role has simply been to appoint the Charter Commission members, who have independently drafted the Charter, and have now submitted the proposed language to Bulverde citizens for approval in May 2015. The City Council cannot edit the proposed charter or amend it in the future in any way. The Charter will be on the May election ballot as it has been currently written and approved by the Home Rule Charter Commission.

Question: What is the ETJ and how does it affect me?

Answer: The “ETJ” stands for Extraterritorial Jurisdiction, and is the area within one mile of the City Limits of Bulverde. The City enforces its Subdivision Ordinance and Sign Regulations within the ETJ. This is the same whether you are a home rule city or a general law city.

Question: How will people living in the ETJ be affected if Home Rule is approved for the City of Bulverde?

Answer: As areas are annexed, the City will have a greater ability to manage development intensity, quality building standards, dark sky ordinances, and other ordinances adopted by the City Council. The city may also be able to better protect residential and commercial properties and citizens that live adjacent to the unincorporated county area, through proper ordinances and zoning.

Question: Will the status of my agriculture tax exemption change with the passage of the Home Rule Charter?

Answer: No. Home Rule will not affect that status.

Question: Is the City Council able to make changes to the Charter in the future?

Answer: No, any changes to the Charter must be approved by an election of the voters.
